

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**LATOYA RANSON,
TREKEVIOUS HAYES,
and ARNIQUA RANSON,**

PLAINTIFFS

VS.

**CAUSE NO.: 4:20cv165-MPM-DAS
Jury Trial Demanded**

**CITY OF CLARKSDALE,
COAHOMA COUNTY,
MISSISSIPPI, COAHOMA
COUNTY SHERIFF'S OFFICE
CHIEF DEPUTY LEON
WILLIAMS, MASTER SERGEANT
MARCUS COHEN DEPUTY
EDDIE EARL, DEPUTY ERIC
BILBRO, in their Official and
Individual Capacities and JOHN and
JANE DOES 1-10**

DEFENDANTS.

PLAINTIFFS' REPLY TO DEFENDANTS' RESPONSE TO ORDER TO SHOW CAUSE

NOW COME Plaintiffs, Latoya Ranson, Trekevious Hayes and Arniqua Ranson, by and through counsel, and respectfully file their Reply to Defendants' Response to the Court's Order to Show Cause [Doc. 93] stating as follows:

1. Defendants filed a Motion to Stay on November 4, 2021. See [Doc. 86].
2. This Court granted the Motion on November 15, 2021. See [Doc. 90].

3. Defendant, Trekevious Hayes, was arrested on January 27, 2020 by the Tunica County Sheriff's Department on the charge of three counts of Aggravated Assault and one count of possession of a controlled substance.
4. Since this arrest, Coahoma County has had Grand Jury in June 2020, December 2020, June 2021, December 2021, June 2022, and December 2022. There has been no indictment. As of the date of this filing, the Petitioner was arrested on these charges approximately 1180 days ago.
5. Defendants seem to confuse a "slow pace" in the justice system with no pace. Three years is sufficient time to get an indictment against the Plaintiff.
6. "It is within the power of the district court, and in accord with common practice, to stay the civil action until the criminal case or the likelihood of a criminal case is ended. (noting that "abstention may be an appropriate response to the parallel state-court proceedings")." *Wallace v. Kato*, 549 U.S. 384, 393-4 (2007) (citing *Quackenbush v. Allstate Ins. Co.*, 517 U.S. 706, 730 (1996)).
7. The rules allow this Court to stay a federal civil proceeding pending the end of a state criminal proceeding. The rule do not require it.
8. The Plaintiffs produced no caselaw that mandated the Court continue to stay this matter.
9. As such, the Plaintiff contends that not only is allowing this matter to move forward in the best interests of the parties, but it is also in the interest of the justice.
10. Given the nature of this Motion, Plaintiffs request that any requirement of a separate memorandum pursuant to Local Rule 7(b) in support be waived.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs request that the Court lift

the stay of all proceedings in this case.

RESPECTFULLY SUBMITTED, the 21th day of April, 2023.

ATTORNEYS FOR PLAINTIFF

/s/ Juan T. Williams

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CERTIFICATE OF SERVICE

I, Juan T. Williams, attorney of record for Plaintiffs, Latoya Ranson, Trekevious Hayes and Arniqua Ranson, do hereby certify that I have this day caused a true and correct copy of the above and foregoing *Plaintiffs' Reply to Defendants' Response to the Court's Order to Show Cause* to be delivered by the ECF Filing System which gave notice to all counsel of record who have appeared herein.

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DATED this 21th day of April, 2023.

/s/ Juan T. Williams

Juan T. Williams